DOCUMENT RESUME

ED 228 702 EA 015 550

| | |
|---|---|
| TITLE | Guidelines and Standards for Proprietary Schools. |
| INSTITUTION | Georgia State Board of Education, Atlanta. |
| PUB DATE | 83 |
| NOTE | 32p.; Supersedes ED 176 127. |
| PUB TYPE | Legal/Legislative/Regulatory Materials (090) -- Guides - Non-Classroom Use (055) |
| EDRS PRICE | MF01/PC02 Plus Postage. |
| DESCRIPTORS | *Adult Vocational Education; *Business Education; Certification; Postsecondary Education; Private Education; *Proprietary Schools; Skill Development; State Legislation; State Licensing Boards; *State Standards; *Trade and Industrial Education; Training |
| IDENTIFIERS | *Georgia; *State Regulation |

ABSTRACT

As provided in the Georgia Proprietary School Act, this guide contains information on the laws, regulations, and standards applying to proprietary schools operating in Georgia. "Proprietary school" under the law means any business enterprise operated for profit for the purpose of training, preparing, or improving a person for business, trade, technical, or industrial occupation. Section 1 of the guide explains the regulations' statutory basis and provides definitions of terms, exemptions from the law (including private kindergartens, elementary, and high schools), and procedures for getting the required certification of approval from the State Superintendent of Schools. Section 2 sets out the minimum standards for proprietary schools, in the form of a lengthy chart on which are listed 30 categories of standards, a self-evaluation checklist, and notations of exhibits required to be submitted to the superintendent. The chart includes state standards for school policies and procedures; curriculum, instruction, and academic requirements; facilities and equipment; personnel; records and financial resources; and advertisement and representation. (RW)

**********
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
**********

ED228702

U.S. DEPARTMENT OF EDUCATION
NATIONAL INSTITUTE OF EDUCATION
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

X This document has been reproduced as received from the person or organization originating it.

☐ Minor changes have been made to improve reproduction quality.

• Points of view or opinions stated in this document do not necessarily represent official NIE position or policy.

"PERMISSION TO REPRODUCE THIS MATERIAL HAS BEEN GRANTED BY

A. Moughon

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)."

# Guidelines and Standards for Proprietary Schools

Issued by the
Georgia Board of Education
1983

EA 015 550

# Guidelines and Standards for Proprietary Schools

Issued by the Georgia Board of Education

Division of Standards and Assessment
Office of Planning and Development
Georgia Department of Education
Atlanta, Georgia 30334
Charles McDaniel
State Superintendent of Schools
1983

# Georgia Proprietary School Advisory Commission

Sandra Allen
Director
National Center for Paralegal Training, Inc.
3376 Peachtree Road NE
Suite 430
Atlanta 30326

Dr. Kenneth Breeden
Lanier Area Vocational-Technical School
P.O. Box 58
Oakwood 30566

Ruby Jackson
Gwinnett College of Business
290 Perry Street SW
Lawrenceville 30245

Dr. John Lawhorn
Music Supervisor
Cobb County Schools
P.O. Box 1988
Marietta 30061

Elma Jean Lazenby
P.O. Box 501
Thomson 30824

Helen Lynch
The Music Business Institute
2970 Peachtree Road
Suite 400, Buckhead Towers
Atlanta 30305

William Meadows Jr.
Meadows College of Business
1170 Brown Avenue
Columbus 31906

Joe Strebel
Dale Strebel University of Cosmetology
842 N. Highland Avenue NE
Atlanta 30309

Donald C. Teel
Associate Superintendent
Coweta County School System
P.O. Drawer 280
Newnan 30264

# Foreword

In order to provide protection for students, educational institutions and the general public, the Georgia Proprietary School Act authorizes the Georgia Board of Education, with the advice of the Proprietary School Advisory Commission, to adopt regulations and standards for the administration and enforcement of the act.

These standards permit the measure of an effective proprietary school program through use of criteria related to the school's objectives and product goals. The standards are also compatible with those of nationally recognized accrediting agencies accepted by the United States Department of Education.

The intent of these regulations and minimum standards is to improve the quality of proprietary school education by strengthening existing institutions and encouraging the development of worthy, new institutions.

Charles McDaniel
State Superintendent of Schools

# Contents


**Section I**

**Guidelines for the Operation of Proprietary Schools** ..... 5

**Introduction** ..... 5
**Definitions** ..... 5
**Exemptions** ..... 6
**General Provisions** ..... 7
**Certificates of Approval of Schools** ..... 7

**Section II**

**Minimum Standards for Operation of Proprietary Schools** ..... 11

**Introduction** ..... 11
**Evaluation Checklist** ..... 12
Policies and Procedures Standards ..... 12
*Required Policies and Disclosures* ..... 12
*Required Information and Disclosures* ..... 12
*Required Refund Policy and Disclosures* ..... 12
*Required Placement Assistance* ..... 13
Curriculum, Instruction and Academic Standards ..... 14
*Program of Instruction, Goals and Objectives* ..... 14
Facilities and Equipment Standards ..... 15
*Space and Building Facilities* ..... 15
*Equipment* ..... 15
Personnel Standards ..... 15
*Personnel Background and Assignments* ..... 15
*Instructor Qualifications* ..... 16
Records and Financial Resources Standards ..... 17
*Permanent Records for Students* ..... 17
*Progress, Conduct and Attendance Records* ..... 17
*Graduation Record for Students* ..... 17
*Financial Records and Resources of the School* ..... 17
Advertising and Representation Standards ..... 18
*Advertising and Promotion* ..... 18
*Recruiting Students* ..... 18
*Financial Assistance* ..... 18
*Endorsements, Approvals, Accreditations* ..... 19
*Transfer of Credit* ..... 19
*Representation of Facilities and Personnel* ..... 19
*Representation of Enrollment Prerequisites or Limitations* ..... 19
*Uses of Degrees, Titles and Certificates* ..... 20
*Sales Representatives and Practices* ..... 20
*Collection and Credit Practices* ..... 20

# Section I
# Guidelines for the Operation of Proprietary Schools

## Introduction

This guide contains information pertaining to the law, rules, regulations and standards of practice which apply to proprietary schools operating in Georgia, as provided in the Georgia Proprietary School Act, Title 32, Chapter 32-23B, Sections 32-2301b-32-2323b, Georgia School Laws. The guide has been adopted by the Georgia Board of Education as recommended by the Georgia Proprietary School Advisory Commission. The law, rules, regulations, standards of practice and procedures are used by the Georgia Board of Education in the evaluation and regulation of proprietary schools. Evaluations take into consideration the educational, promotional and ethical practices of the applicant school. The quality of education offered by each school is judged in terms of the announced policies, the literature and the complete program described in the application for certificate of approval as compared to the minimum standards. Every effort is made to evaluate fairly and impartially each school application for approval. The Georgia Department of Education endeavors to provide an effective and constructive application of the law and standards of practice.

The Georgia Department of Education provides information to assist all schools and their directors in complying with the provisions of the law and standards of practice. Inquiries or requests for information should be directed to Georgia Department of Education, Proprietary Schools Unit, 1870 Twin Towers East, Atlanta 30334, telephone (404) 656-2452.

## Definitions

**Administrator** means the State Superintendent of Schools who has been designated by the Georgia Board of Education to administer the provisions of the Act. For procedural purposes, the Coordinator of Standards for Proprietary Schools represents the Administrator.

**Date of notice** means the date the notice is mailed by the Administrator.

**Notice to the school** means written correspondence sent to the address of record for legal service contained in the application for a certificate of approval.

**Owners** of a school means: in the case of a school owned by an individual, that individual; in the case of a school owned by a partnership, all full, silent and limited partners; in the case of a school owned by a corporation, the corporation and each shareholder owning shares of issued and outstanding stock aggregating at least 10 percent of the total of the issued and outstanding shares.

**Person** means any individual, firm, partnership, association, corporation or other private entity.

**Proprietary school** (referred to as "school") means any business enterprise operated for a profit, or on a nonprofit basis, which maintains a place of business within Georgia or solicits business within Georgia and which is not specifically exempted by provisions of Section 4 of the Act and offers or maintains a course or courses of instruction or study and at which place of business such a course or courses of instruction is available through classroom instruction or by correspondence, or both, to a person or persons for the purpose of training, preparing or improving the person for a field of endeavor in a business, trade, technical or industrial occupation.

**Representative** means a person employed by the school (whether the school is located within or without the state) to act as an agent, solicitor, broker or independent contractor to directly procure students or enrollees for the school by solicitation within or without this state.

**School employee** means any person, other than an owner, who directly or indirectly receives compensation from the school for services rendered.

**Support or supported** means the primary source and means by which a school derives revenue to perpetuate its operation.

**Commission** means the Proprietary School Advisory Commission.

**Course** means any course, plan or program of instruction, whether conducted in person, by mail or by any other method.

**Student** means any person who contracts to pay for and be the recipient of any course as defined above.

## Exemptions

The following schools, educational institutions, training programs or courses of instruction are specifically exempt from the provisions of the Georgia Proprietary School Act regulating proprietary schools.

**Standard Exemptions**

1. A school or educational institution supported by state or local government taxation or by taxation from state and local government.
2. Private, nontax-supported kindergartens, elementary or high schools.
3. Nonprofit schools owned, controlled, operated and conducted by religious, denominational, eleemosynary or similar public institutions exempt from property taxation under the laws of this state. Such schools may, however, choose to apply for a Certificate of Approval. Upon approval and issuance, such schools shall be subject to the provisions of the Act as determined by the Administrator.
4. A school or training program which offers instruction on purely avocational or recreational subjects as determined by the Administrator.
5. A training program offered or sponsored by an employer for the training and preparation of its own employees and for which no tuition fee is charged to the student.
6. A course or courses of study or instruction sponsored by a recognized trade, business or professional organization for the instruction of the members of the organization with a closed membership and for which no tuition fee is charged to the student. The organization must provide acceptable documentation to the Administrator in support of its claim.
7. Private colleges and universities which award a baccalaureate (or higher) degree and which maintain and operate educational programs for which credits are given. A majority of said credits must be transferable to a college, junior college or university accredited by a nationally recognized accrediting agency accepted and approved by the Administrator.
8. Any organization which has done business nationally for 60 or more years and which also has done business in Georgia for 25 or more years.
9. Private colleges and universities located in foreign countries which award degrees and which maintain and operate educational programs — provided there shall be a blanket bond requirement in the penal sum of $50,000 to pay all damages or expenses which the state or any governmental subdivision thereof or any person may sustain in the event the courses, curriculum and instruction are not of such quality and content to reasonably and adequately meet the objectives of which the courses, curriculum or instruction are offered. Such institution must file the bond with the Secretary of State and consent to service with respect thereto. A copy of the bond must be filed with the Administrator.
10. Any flight school which holds an applicable current Federal Air Agency Certificate issued by the Federal Aviation Agency.

### Optional Exemptions

Any school which is otherwise regulated and approved under and pursuant to any other law of this state, including schools under the Joint Secretary, State Examining Boards, is exempt from the provisions of the Act. However, such schools may choose to apply for a Certificate of Approval hereunder and, upon approval and issuance, are subject to the provisions of this Act as determined by the Administrator.

### Potential Exemptions

A course or courses of special study or instruction financed in whole or in part by a local or state government, private industry or by any person, firm, association or other agency, other than the student involved, on a contract basis and having a closed enrollment is exempt from the provisions of the Act. However, a school financed in whole or in part by federal or special funds may apply to the Administrator for exemption of such course or courses from the provisions of the law and may be declared exempt by the Administrator where he or she finds the operation of such school to be outside the purview of this Act.

## General Provisions

**No person shall operate a proprietary school (as defined in the Act), advertise, solicit for or conduct any course of instruction in Georgia without obtaining a Certificate of Approval from the Administrator.**

Any proprietary business, technical, vocational or home study school not exempted by the Georgia Proprietary School Act and desiring to operate in Georgia or do business in the state must make written application to the Administrator for a Certificate of Approval. Schools desiring renewal of Certificate of Approval shall make application at least 30 days prior to the expiration date of the Certificate of Approval. A Certificate of Approval is nontransferable.

A person or persons purchasing a proprietary school operating as an approved school under this Act must comply with all of the requirements for securing an original approval. Application for Certificate of Approval and other pertinent data must be submitted within 10 days after the change in ownership.

Any representative of a proprietary school who directly procures students or enrollees for the school by solicitation within or without this state must be authorized by his or her school director. The school director must issue a pocket identification card to each representative and file a duplicate copy with the Administrator of the Proprietary School Act. The authorization is effective upon receipt of notice by the Administrator and remains in effect until expiration of the school's Certificate of Approval or until earlier cancellation by the school.

## Certificates of Approval of Schools

### Requirements for Issuance

The Administrator may approve the applying school and issue a Certificate of Approval provided the applicant school is found upon investigation to have satisfactorily met the Minimum Standards for Proprietary Schools as set forth in this guide and also have provided assurance and evidence of meeting the following criteria specified in the Georgia Proprietary School Act.

1. The courses, curriculum and instruction are of such quality, content and length as may reasonably and adequately achieve the stated objective for which the courses, curriculum or instruction are offered.
2. There is in the school adequate space, equipment, instructional material and personnel to provide training of good quality.

3. Educational and experience qualifications of directors, administrators and instructors are such as nay reasonably insure that the students will receive training consistent with the objectives of their program of study.
4. The school maintains and uses a written record of the previous education and training of the applicant student and provides a shortened training period where warranted by the results of skills or achievement tests.
5. A copy of the schedule of tuition, fees, other charges and settlement policy is a part of the original student contract which must be signed by the student and the school director or his or her designee.
6. A copy of the course outline, regulations pertaining to absence, grading policy and rules of operation and conduct are furnished the student before or upon entry into classes.
7. Upon completion of training, the student is given a certificate or diploma by the school indicating satisfactory completion of training in the approved course.
8. Adequate records are kept to show attendance and progress or grades, and satisfactory standards relating to attendance, progress and conduct are enforced.
9. The school complies with all local, city, county, municipal, state and federal regulations, such as fire, building and sanitation codes and furnishes such proof as the Administrator may require.
10. The school is financially sound and capable of fulfilling its commitments for training.
11. The school does not use erroneous or misleading advertising, either by actual statement, omission or intimation and is not in violation of minimum standards of advertising.
12. The school's administrator, directors, owners and instructors are of good reputation and character as determined by evidence submitted.
13. The school has, maintains and publishes in its enrollment contract a reasonable and proper policy for the refund of the unused portion of tuition, fees and other charges in the event the student enrolled by the school fails to begin the course or withdraws or is discontinued therefrom at any time prior to completion. The policy must take into account those costs to the school that are not diminished by the failure of the student to enter or complete the course of instruction.

**Application Procedures**

Proprietary Schools, as defined in the Georgia Proprietary School Act, must apply for and be granted a Certificate of Approval **before** beginning operation in Georgia. Schools making application for a Certificate of Approval must complete application forms provided by the Administrator and follow procedures outlined below.

*Initial Application*

Any applicant seeking initial approval to operate a proprietary school in Georgia must complete application procedures which include submission of

1. a nonrefundable initial application fee of $100.00 by check or money order, payable to the State of Georgia.
2. a proprietary school bond in the penal sum of $10,000. (Appropriate form available from the Administrator.)
3. written evidence of meeting criteria and standards specified by the Georgia Proprietary School Act and the Georgia Board of Education. (Appropriate forms and procedures available from the Administrator in a complete application package.)

For in-state schools, an on-site visit will be made before initial approval. Applications will be evaluated by the Administrator and reviewed by the Proprietary School Advisory Commission. Upon recommendation of the Commission and consideration of the evaluation, the Administrator will grant approval.

*First Renewal Application*

The Certificate of Approval must be renewed annually. Any approved school seeking to renew the Certificate of Approval for the first time must follow these procedures.

1. Submit a nonrefundable renewal application fee of $50.00, as for the initial application.
2. Submit a renewed bond, the same as for initial application.
3. Submit documentation of the current status of the school and report any changes made or planned during the previously approved period. (Appropriate forms and procedures will be supplied by the Administrator at least 30 days prior to initial certificate expiration date.)
4. Be prepared to host a team evaluation at the school site.

*Subsequent Renewal Applications*

An approved school whose Certificate of Approval has been renewed at least once will follow the same procedures as on the first renewal application (above) with the exception of the team evaluation. Appropriate forms will be supplied by the Administrator, with notification of the due date, at least 30 days prior to expiration of the certificate. On-site visits will be made by the Administrator periodically and team evaluations may be called at any time a school appears to have made significant changes, to have recurring problems or to be in violation of the law and standards.

*New Or Changed Courses*

An approved school planning to offer a new course or program must submit a written description to the Administrator and **obtain approval** of the addition **prior** to offering the instruction. The same procedures will be followed if the school makes significant changes in an already-approved course or program. Appropriate forms for seeking approval of new or changed courses are available from the Administrator.

*Change of Ownership*

The Georgia Certificate of Approval is nontransferable. Change of ownership necessitates complete reapplication as a new school. The school must notify the Administrator of the new ownership within 10 days of the changes and new application should be completed within 30 days.

*Expiration of Approval*

Any school which allows its Certificate of Approval to expire through failure to apply for renewal, or failure to submit all appropriate documentation for renewal, will be reported to the Georgia Board of Education for action. The Board may request that the Georgia Attorney General's Office enjoin the school to cease all operation in the state.

**Notification of Issuance or Denial**

The Administrator, upon review and consideration of an application for a Certificate of Approval from each school, determines the application to be acceptable or unacceptable. The review and consideration includes an on-site evaluation when deemed necessary by the Administrator. However, an on-site evaluation must be conducted for each applicant school not less than once in every five-year period beginning on the date of the application for approval. The composition of evaluation teams and procedures of evaluation are determined by the standards of practice adopted by the Georgia Board of Education. The Administrator is authorized to visit applicant schools as necessary for matters of administration or inquiry. The Administrator determines applicant schools accredited by a regional or national accrediting agency (as included in the most recent listing by the United States Department of Education of approved nationally

recognized accrediting agencies) to be acceptable. However, for cause the Administrator may revoke or deny renewal of a Certificate of Approval for such schools. The Administrator must put in writing the approval or the reasons for denial of approval. Upon receipt of notice from the Administrator that its application is unacceptable, a school may take immediate steps to correct the discrepancies.

Such schools are granted a specified period of time in which to bring operations into compliance. Should such school fail to comply within the period of time granted by the Administrator, its operations are thereafter suspended. Such operations must not be resumed until a Certificate of Approval is granted.

*Revocation*

The Administrator may revoke an issued Certificate of Approval or place reasonable conditions upon the continued approval represented by the certificate. Prior to revocation or imposition of conditions upon a Certificate of Approval, the Administrator must notify the holder of the certificate in writing of the impending action and set forth the grounds for the action to be taken and affording a day and date at least 30 days hence on which the holder of the certificate may be heard in response to the allegation of noncompliance with the provisions of the Act.

A Certificate of Approval may be revoked or made conditional if the Administrator has reasonable cause to believe that the school is guilty of a violation of the Act or of any rules or standards promulgated thereunder.

The Administrator shall render a determination in writing to the school regarding the denial or imposition of conditions of a Certificate of Approval within 30 days from the date of the appearance and response by the holder of the certificate.

**Appeals Procedures**

Should the applicant be dissatisfied by a decision respecting denial of a Certificate of Approval, he or she has the right to appeal the decision in accordance with and pursuant to the following provisions.

1. Upon written notification of proposed action by the Administrator, the school must notify the Administrator in writing within 15 days after receipt of the official notice of the desire to be heard and be given a hearing.
2. Within 21 days after request for a hearing the Administrator must fix a time and place for a hearing, which must be held before the proposed action becomes effective. The initial hearing must be conducted by Georgia Department of Education personnel as designated by the State School Superintendent. If the applicant is still aggrieved at the conclusion of this hearing, the matter will be referred to and placed on the agenda of the Georgia Board of Education for final hearing.
3. At such hearing the school may employ counsel, if desired, and has the right to hear the evidence upon which the charges are made, to cross-examine all adverse witnesses and to present evidence in opposition or in extenuation.
4. If a school, upon notification of the proposed action, fails to request a hearing within 15 days thereafter, or after a hearing has been provided, the Administrator's determination must be entered as an order and stand as final and definitive.
5. If the Georgia Board of Education as Administrator denies or revokes a certificate, the school has the right to appeal such action to the state courts.

## Section II

# Minimum Standards for Operation of Proprietary Schools

### Introduction

Minimum standards of operation must be maintained by all schools to insure educational programs of high quality which will be of benefit to the student, the school and the state. Adherence to these standards is required of each school for inherent advantage to the school itself and for the common good of all schools.

Schools desiring issuance, continuance or renewal of Certificates of Approval must adhere to the standards enumerated herewith. The enumerated standards should be used by the school as a self-evaluation inventory. A space has been provided in the left hand margin for the appropriate school official to record a yes, no or N/A (not applicable) answer. If the question is pertinent to the operation of the particular school responding, the preferred answer is yes, if it is not pertinent, the answer should be N/A. Any standard answered in the negative must be accompanied by a plan of improvement for eliminating the deficiency.

The recorded responses will be made on the self-evaluation inventory form. This form must be supplied to the Administrator of the proprietary school program and must contain a certification from the school director that the information is true and accurate.

Minimum standards with which schools must comply to receive a cerificate of approval are listed on the following pages. **Please study these Guidelines and Standards carefully.**

## GUIDELINES AND STANDARDS FOR PROPRIETARY SCHOOLS

Policies and Procedures Standards

| EVALUATION CHECKLIST | | | | REQUIRED EXHIBITS |
|---|---|---|---|---|
| YES | NO | N/A | | |
| | | | **REQUIRED POLICIES AND DISCLOSURES** | |
| ☐ | ☐ | ☐ | 1. The school adopts, publishes and presents to the prospective student prior to signing an enrollment agreement policies or regulations pertaining to the following. | 1. Catalog and/or brochure |
| ☐ | ☐ | ☐ | a. Admission and enrollment | |
| ☐ | ☐ | ☐ | b. Student conduct and school operation | |
| ☐ | ☐ | ☐ | c. Attendance and absences | |
| ☐ | ☐ | ☐ | d. Grades, grading and progress reporting | |
| ☐ | ☐ | ☐ | e. Make-up work | |
| ☐ | ☐ | ☐ | f. Conditions for dismissal and reentrance | |
| ☐ | ☐ | ☐ | g. Requirements for graduation | |
| YES | NO | N/A | **REQUIRED INFORMATION AND DISCLOSURES** | |
| ☐ | ☐ | ☐ | 2. The school publishes and presents to the prospective student **prior** to signing an enrollment agreement or contract an accurate description of the following. | 2. Catalog and/or brochure |
| ☐ | ☐ | ☐ | a. Goals of the institution | |
| ☐ | ☐ | ☐ | b. Program of instruction (course overview) | |
| ☐ | ☐ | ☐ | c. Educational facilities | |
| ☐ | ☐ | ☐ | d. Exact location where instruction will occur | |
| ☐ | ☐ | ☐ | e. Instructor qualifications | |
| ☐ | ☐ | ☐ | f. Employment for which instruction is designed | |
| ☐ | ☐ | ☐ | g. Time required for training | |
| ☐ | ☐ | ☐ | 3. The school includes the schedule of tuition, fees, other charges and settlement policy as a part of any original student contract or agreement; this must be signed by the student and the school director or his or her designee. Any nonrefundable fee or charge must be so designated. | 3. Enrollment agreement and/or contract |
| ☐ | ☐ | ☐ | 4. The school provides the prospective student, prior to enrollment, information relative to the cost of supplies, materials or supplementary services which it recommends, suggests or requires where the cost thereof is not included in the contract price. | 4. Enrollment agreement, supplementary bulletin or other printed document |
| YES | NO | N/A | **REQUIRED REFUND POLICY AND DISCLOSURES** | |
| ☐ | ☐ | ☐ | 5. The school adopts, abides by and publishes in any enrollment contract or agreement a policy for the refund of the unused portion of tuition, fees and other charges in the event the student fails to enter the course, withdraws or is discontinued at any time prior to completion of the course. When the cancellation provisions have been complied with, the school will issue the appropriate refund in full to the contracting party within a maximum of 30 days from final cancellation. | 5. Enrollment agreement, contract or bulletin |

14

## GUIDELINES AND STANDARDS FOR PROPRIETARY SCHOOLS

Policies and Procedures Standards

| EVALUATION CHECKLIST | | | REQUIRED REFUND POLICY AND DISCLOSURES (continued) | REQUIRED EXHIBITS |
|---|---|---|---|---|
| ☐ | ☐ | ☐ | 5. a. An **applicant** may cancel enrollment at any time before the commencement of classes. An applicant not requesting cancellation by the scheduled starting date will be considered a **student**. | 5. Enrollment agreement, contract or bulletin |
| ☐ | ☐ | ☐ | b. All monies paid by an **applicant** are refunded if requested within three days after signing the enrollment agreement and making an initial payment. | |
| ☐ | ☐ | ☐ | c. An applicant requesting cancellation after more than three days since signing the contract is entitled to a refund of all monies paid minus a registration fee of 15 percent of the contract price of the course; however, in no event may the amount retained be more than $100.00. | |
| ☐ | ☐ | ☐ | d. A **student** termination is considered to have occurred not later than seven calendar days after the last date of actual attendance at the school unless earlier **written** notice of termination is received by the school, in which case, termination is the date of receipt of written notice. **Refund will be determined by last date of attendance and, in determining refunds, the contract may not be more than one year.** | |
| ☐ | ☐ | ☐ | e. For a student terminating training within the first week of the course, the tuition charges made by the school to the student do not exceed ten percent of the contract price of the course with the discretionary addition of $100, up to a maximum of $300. | |
| ☐ | ☐ | ☐ | f. For a student terminating training after one week but within the first 25 percent of the course, the tuition charges made by the school to the student do not exceed 25 percent of the contract price of the course plus $100. | |
| ☐ | ☐ | ☐ | g. For a student terminating training after completing over 25 percent, but within 50 percent of the course, the tuition charges made by the school to the student do not exceed 50 percent of the contract price of the course plus $100. | |
| ☐ | ☐ | ☐ | h. After completing **more than one-half** of the course, the student is obligated for the full amount of the contract price. | |
| ☐ | ☐ | ☐ | i. In the case of student injury or prolonged illness or death in the family or other circumstances that make it impractical to complete the course, the school makes a settlement which is reasonable and fair to the student and the school. The school will propose a settlement within 30 days of receipt of notice of the situation. | |
| **YES** | **NO** | **N/A** | **REQUIRED PLACEMENT ASSISTANCE** | |
| ☐ | ☐ | ☐ | 6. The school establishes, maintains, keeps records of and publishes a description of employment assistance or job placement. A description of this service will be furnished each prospective student prior to signing an enrollment agreement or contract. | 6. Catalog and/or brochure; also, enrollment agreement or contract (For renewal, placement figures.) |

16

17

## GUIDELINES AND STANDARDS FOR PROPRIETARY SCHOOLS

Curriculum, Instruction and Academic Standards

| EVALUATION CHECKLIST | PROGRAM OF INSTRUCTION, GOALS AND OBJECTIVES | REQUIRED EXHIBITS |
|---|---|---|
| ☐ ☐ ☐ | 1. The school provides courses in which the content, length and instructional methods are of such nature and quality as to reasonably insure that students will adequately develop the necessary job skills, occupational knowledge and applicable safety practices required to obtain employment in the occupation for which the instruction is offered. | 1. Catalog and/or brochure; also, Program of Instruction Outline forms |
| ☐ ☐ ☐ | 2. The school publishes in bulletins, catalogs or other promotional materials clear and simply stated educational goals for the institution and clearly stated occupational objectives for which the courses, curriculum and instruction are offered. | 2. Catalog and/or brochure |
| ☐ ☐ ☐ | 3. The school demonstrates that well-developed courses and instructional guides are on hand and are considered appropriate by other professionals in the field. | 3. Provide samples |
| ☐ ☐ ☐ | 4. The school establishes and abides by basic entrance qualifications which an applicant should possess to successfully complete the training program; thus, after completing training, the graduate should be at least minimally qualified to enter the field for which he or she has been trained. Further, the school provides a special developmental program for any students it accepts or enrolls who do not meet the stated basic qualifications. | 4. Catalog and/or brochure |
| ☐ ☐ ☐ | 5. The school offers and schedules courses and classes so that students can complete the total program during the length of time and under the enrollment conditions stipulated in the school bulletin, catalog or promotional literature; any and all contracts or agreements reflect this policy. | 5. Catalog and/or brochure; also, enrollment agreement and/or contract |
| ☐ ☐ ☐ | 6. The school publishes bulletins and other promotional literature which indicate those courses which have been submitted to the administrator and approved. When a course is permanently discontinued, the administrator is notified and the course is removed from the list of approved courses and from promotional literature. | 6. Catalog and/or brochure |
| ☐ ☐ ☐ | 7. The school issues to students, upon successful completion of training, a certificate or diploma which indicates that the course and training were satisfactorily completed. Such certificates or diplomas state only the approved course or program name completed, and do not confer titles. | 7. Copy of certificate or diploma |

Facilities and Equipment Standards

| EVALUATION CHECKLIST | SPACE AND BUILDING FACILITIES | REQUIRED EXHIBITS |
|---|---|---|
| ☐ ☐ ☐ | 1. The school provides space adequate for classroom and other instruction, for laboratory experiences, for instructional personnel and for housing instructional materials and equipment. (Adequacy of space is determined by that area needed to fulfill the goals of the courses and programs of the school and to meet training needs of the students served.) | 1. Description of school facilities |
| ☐ ☐ ☐ | 2. The school provides space which is adequately lighed, ventilated and otherwise made comfortable and safe to meet learning and physical needs of students and which supports the occupational objectives of the training program. | 2. Description of school facilities |

## GUIDELINES AND STANDARDS FOR PROPRIETARY SCHOOLS

Facilities and Equipment Standards

| EVALUATION CHECKLIST | | | SPACE AND BUILDING FACILITIES (continued) | REQUIRED EXHIBITS |
|---|---|---|---|---|
| ☐ | ☐ | ☐ | 3. The school certifies that any building facilities it uses or sponsors are in compliance with all local, city, county, municipal, state and federal regulations such as fire, building and sanitation codes. (NOTE: Schools are encouraged to render facilities usable by the physically handicapped as required for public buildings in Georgia Code, Chapter 91, Section 91-1104 through 91-1126.) | 3. Copies of local or state licences, building permits, charters or other authorization |
| YES | NO | N/A | **EQUIPMENT** | |
| ☐ | ☐ | ☐ | 4. The school provides equipment for instruction as determined by the program's occupational objectives and such equipment is comparable to that found in current business establishments offering employment in the occupation for which the instruction is being offered. | 4. Descriptive inventory of equipment |
| ☐ | ☐ | ☐ | 5. The school provides equipment in sufficient quantity to meet the maximum authorized enrollment of the class; all equipment is of good quality, is maintained in good working order and is equipped with proper safety devices. | 5. Descriptive inventory of equipment |
| ☐ | ☐ | ☐ | 6. The school provides its student with access to the instructional materials and equipment necessary to complete training. Prospective students must be apprised of any materials or equipment they must supply on their own for successful completion of any course. | 6. Catalog and/or brochure; also, enrollment agreement or contract if applicable |

Personnel Standards

| EVALUATION CHECKLIST | | | PERSONNEL BACKGROUND AND ASSIGNMENTS | REQUIRED EXHIBITS |
|---|---|---|---|---|
| ☐ | ☐ | ☐ | 1. The school verifies that the education and experience qualifications of directors, administrators, instructors and all representatives are such that students are reasonably insured they will receive training consistent with the objectives of their program of study. | 1. Director's agreement |
| ☐ | ☐ | ☐ | 2. The school designates one person as director whose responsibility is the administration of the school. | 2. Director's agreement |
| ☐ | ☐ | ☐ | 3. The school verifies that the director, owners, staff members and all representatives are persons of good reputation and character. The school will not in any way misconstrue the nature or extent of association any person has with the school or its courses. | 3. Director's agreement |
| ☐ | ☐ | ☐ | 4. The school maintains a personnel file for each employee, including all administrators, all staff members and all representatives. Such files include references, education and relevant work and experience. | 4. Director's agreement |
| ☐ | ☐ | ☐ | 5. The school provides an orientation to the school and its complete operation to each employee and an outline of such orientation is furnished the administrator upon request. | 5. Outline of orientation procedures |
| ☐ | ☐ | ☐ | 6. The school verifies that the director, staff members and all representatives are either graduates of an institution of higher learning (college or university) or have sufficient background and training in the area for which they are responsible. | 6. Personnel Data Inventories |

## GUIDELINES AND STANDARDS FOR PROPRIETARY SCHOOLS

Personnel Standards

| EVALUATION CHECKLIST | INSTRUCTOR QUALIFICATIONS | REQUIRED EXHIBITS |
|---|---|---|
| ☐ ☐ ☐ | 7. The school verifies that each instructor has a background of education, training and occupational experience in the specific area of teaching to show adequate competency to provide instruction which will assist students in successful achievement of the training goals or objectives of the course or program. (Initial employment of instructors is based on educational background and occupational experience sufficiently recent to assure that instructors have up-to-date knowledge in their teaching fields.) | 7. Personnel Data Inventories |
| ☐ ☐ ☐ | 8. The school verifies that the instructional staff is kept abreast of new developments in applicable fields and in teaching methods related to these fields. Evidence of such staff development is furnished in annual reports to the administrator. | 8. Director's agreement |
| | 9. The school verifies that instructors have specific qualifications as follows. | |
| ☐ ☐ ☐ | a. Each instructor employed in a secretarial, accounting, office training or modeling and finishing program is a graduate of an accredited college or university or proprietary school approved by the Georgia Department of Education with a major in the subject which the applicant teaches. (In lieu of the above requirement, instructors may have 24 months of actual occupational experience in the trade or occupation in which they teach, or 24 months of successful teaching experience in the trade or occupation.) | a. Personnel Data Inventories |
| ☐ ☐ ☐ | b. Each instructor employed in a program such as radio-TV repair, drafting, auto mechanics, welding, commercial art and design, air conditioning and refrigeration, appliance repair, machine operation or repair or building trades has a high school diploma or a high school equivalency certificate. In addition, he or she has a minimum of two years of experience as a worker in the field in which he or she teaches or is a graduate of a postsecondary technical school with a minimum of two years of working experience in the trade taught. (In lieu of the above requirement, he or she may possess a comparable combination of education and experience acceptable to the administrator.) | b. Personnel Data Inventories |
| ☐ ☐ ☐ | c. Each instructor employed in a program such as electronic technology, data processing and computer programming requiring a high degree of technical information, knowledge and skills, has at least two years of postsecondary education and training in the technical, scientific or mathematics field, preferably with a degree from an accredited college or university. (In lieu of the above requirements, he or she may possess at least two years of occupational experience with one year of recent employment experience in the technical field taught, or a combination of education and experience acceptable to the administrator.) | c. Personnel Data Inventories |
| ☐ ☐ ☐ | d. Each instructor employed either in language, art or music programs, requiring academic and professional training has a degree from an accredited college or university in an appropriate area of study. (In lieu of these requirements, he or she may have two years of postsecondary education and two years experience in the appropriate area of study or a comparable combination of education and experience acceptable to the administrator.) | d. Personnel Data Inventories |
| ☐ ☐ ☐ | e. Each instructor employed in a religious or theological education program has a degree from a recognized institution in the appropriate field of theology or a degree from a recognized theological seminary. | e. Personnel Data Inventories |

## GUIDELINES AND STANDARDS FOR PROPRIETARY SCHOOLS

Personnel Standards

| EVALUATION CHECKLIST | | | INSTRUCTOR QUALIFICATIONS (continued) | REQUIRED EXHIBITS |
|---|---|---|---|---|
| ☐ | ☐ | ☐ | f. Each instructor employed in a program such as medical assisting, dental assisting, medical technician, X-ray technician and practical nursing has professional qualifications in the area to be taught with at least two years recent occupational experience or a comparable amount of education and experience acceptable to the administrator. | f. Personnel Data Inventories |

Records and Financial Resources Standards

| EVALUATION CHECKLIST | | | PERMANENT RECORDS FOR STUDENTS | REQUIRED EXHIBITS |
|---|---|---|---|---|
| ☐ | ☐ | ☐ | 1. The school maintains permanent records which provide complete and useful information for each student including courses taken, credit and/or grades received, dates of attendance, certificates, diplomas or degrees earned and other pertinent information. Such records must be surrendered to the Georgia Department of Education in the event the school ceases operation. | 1. Copy of student record form |
| ☐ | ☐ | ☐ | 2. The school maintains a written record of the previous education and training of each student. | 2. Catalog and/or brochure |
| ☐ | ☐ | ☐ | 3. The school shortens the training period where warranted, as determined objectively through use of appropriate skills or achievement tests or through credit for previous training. Students are notified of this procedure when enrolling. | 3. Catalog and/or brochure |
| YES | NO | N/A | **PROGRESS, CONDUCT AND ATTENDANCE RECORDS FOR STUDENTS** | |
| ☐ | ☐ | ☐ | 4. The school establishes, publishes and enforces satisfactory standards relating to attendance, progress and conduct to assure that student progress can be readily assessed and is consistent with stated goals and objectives of the program and any student enrollment agreement. | 4. Catalog and/or brochure<br>Copy of record forms or procedures |
| ☐ | ☐ | ☐ | 5. The school stipulates what is considered as failing or unsatisfactory progress, and policies pertaining to probation are stated in school promotional literature. | 5. Catalog and/or brochure |
| | | | **GRADUATION RECORD FOR STUDENTS** | |
| ☐ | ☐ | ☐ | 6. The school presents to the student, upon successful completion of training, an approved certificate or diploma indicating that the course and training were satisfactorily completed. This is noted in the student's permanent record. | 6. Permanent record form<br>Certificate or diploma |
| | | | **FINANCIAL RECORDS AND RESOURCES OF THE SCHOOL** | |
| ☐ | ☐ | ☐ | 7. The school and its principal owner(s) demonstrate sufficient financial stability to establish and carry out a satisfactory program of education on a continuing basis. Evidence must be furnished by filing a financial statement with the application for Certificate of Approval or Renewal of Certificate of Approval; or upon request of the administrator a statement of financial position (Balance Sheet), and a statement of results of operation (Statement of Income and Retained Earnings). By administrative decision, the administrator may require a certified audit of accounts. | 7. Statement of fiscal resources |

## GUIDELINES AND STANDARDS FOR PROPRIETARY SCHOOLS

Advertising and Representation Standards

| EVALUATION CHECKLIST | | | ADVERTISING AND PROMOTION | REQUIRED EXHIBITS |
|---|---|---|---|---|
| ☐ | ☐ | ☐ | 1. The school and its employees use no unethical, deceptive or derogatory practices in advertising or promotion, in recruiting students or in refering to competitors. | 1. Director's agreement |
| ☐ | ☐ | ☐ | 2. The school verifies that each advertisment or promotion used is completely truthful and refrains from giving any false, misleading or exaggerated impression with respect to the school, its personnel, its courses and services, or the occupational opportunities for its graduates. | 2. Director's agreement |
| ☐ | ☐ | ☐ | 3. The school includes in all advertising and promotional literature its full and correct name and location. | 3. Examples |
| ☐ | ☐ | ☐ | 4. The school verifies from its records on any given date everything used in advertising, promotion, recruiting and sales. This includes newspaper, magazine and telephone directory advertising, radio or TV scripts and all direct advertising. | 4. Examples |
| ☐ | ☐ | ☐ | 5. The school publishes its address in all catalogs and enrollment contracts. (For this purpose, a post office box number will not be considered an adequate address.) | 5. Catalog, bruchures, enrollment agreement, contract |
| ☐ | ☐ | ☐ | 6. The school uses only advertising and promotional literature which clearly indicate that training or education, and not employment, is being offered. | 6. Examples |
| YES | NO | N/A | **RECRUITING STUDENTS** | |
| ☐ | ☐ | ☐ | 7. The school, in obtaining students, does not use advertisements or promotional material classified, designated or captioned, "men/women wanted to train for . . . .," "help wanted," "employment," "business opportunities" or words or similar terms which directly or indirectly imply that employment is being offered. | 7. Recruiting literature |
| ☐ | ☐ | ☐ | 8. The school advertises in classified columns of newspapers or other publications to acquire students only by using sections headed "education," "school" or "instruction" | 8. Advertising samples |
| ☐ | ☐ | ☐ | 9. The school uses the word "guarantee" for advertising or promotional purposes only when full explanation of the term is given. | 9. Advertising samples |
| ☐ | ☐ | ☐ | 10. The school does not use the word "free" to describe any item or service regularly included as a part of the school's courses or services, including placement services or preliminary testing and interviews. | 10. Advertising samples |
| YES | NO | N/A | **FINANCIAL ASSISTANCE** | |
| ☐ | ☐ | ☐ | 11. The school does not use advertisements to sell loans; for example, "Learn now, Pay later," "Government Loans Available." Schools may offer federal, state or other loans, grant or scholarship assistance to students only when the school can demonstrate that it is approved as an eligible institution for such loans, grants or scholarships. | 11. Examples of ads or literature describing financial assistance |
| ☐ | ☐ | ☐ | 12. The school uses letters of endorsement, commendation or recommendation in catalogs, advertisements and promotional literature **only** when prior consent is obtained, and such letters of written consent are kept on file and available for inspection. Testimonials portray only currently correct conditions or facts regarding the school, training and job opportunities. The school does not use the letter of approval from the Georgia Department of Education, nor any part of it, as an endorsement. | 12. Samples, if applicable |

## GUIDELINES AND STANDARDS FOR PROPRIETARY SCHOOLS

Advertising and Representation Standards

| EVALUATION CHECKLIST | | | | REQUIRED EXHIBITS |
|---|---|---|---|---|
| | | | **ENDORSEMENTS, APPROVALS, ACCREDITATIONS** | |
| ☐ | ☐ | ☐ | 13. The school does not misrepresent the extent or nature of any approval the school may have received from a state agency or the extent or nature of its accreditation by any accrediting agency or association. | 13. Director's agreement |
| ☐ | ☐ | ☐ | 14. The school, if accredited or approved and offering courses or programs of instruction which have not been accredited or approved, uses only advertisements or promotional materials pertaining to such courses or programs which contain a clear and conspicuous disclosure that they are not accredited or approved. | 14. Samples, if applicable |
| ☐ | ☐ | ☐ | 15. The school does not represent that a course of instruction has been approved by a particular industry or labor union or similar organization, or approved for the receipt of state or federal license to perform certain functions, unless such is verifiable fact. | 15. Verification, if applicable |
| ☐ | ☐ | ☐ | 16. The school does not represent that its courses are recommended by vocational counselors, high schools, colleges, educational organizations, employment agencies or members of a particular industry, or that it has been the subject of unsolicited testimonials or endorsements from former students or anyone else, unless such is the verifiable fact. | 16. Verification, if applicable |
| YES | NO | N/A | **TRANSFER OF CREDIT** | |
| ☐ | ☐ | ☐ | 17. The school does not represent that students successfully completing a course or program of instruction therefore may transfer credit to any other institution of higher education, unless such is the verifiable fact. | 17. Verification, if applicable |
| YES | NO | N/A | **REPRESENTATION OF FACILITIES AND PERSONNEL** | |
| ☐ | ☐ | ☐ | 18. The school does not misrepresent directly or indirectly in any manner the size, location, facilities or equipment of its school, nor the number and education qualifications of its faculty and other personnel. Further, the school does not deceptively represent the location or locations at which any of its courses will be conducted. | 18. Promotional literature |
| ☐ | ☐ | ☐ | 19. The school does not represent that the school owns, operates or supervises a dormitory, eating establishment or other living accommodations, unless such is the fact. Full disclosures regarding use, cost and any approval of all school-sponsored facilities must be presented to the student prior to enrollment. | 19. Disclosure, if applicable |
| ☐ | ☐ | ☐ | 20. The school does not misrepresent the nature and extent of any personal association, instruction, nor misrepresent in any manner the availability of such employment or any other form of financial assistance. | 20. Literature, if applicable |
| ☐ | ☐ | ☐ | 21. The school does not misrepresent the nature and extent of any personal association, instruction, guidance, assistance or other attention it will provide for its students either during a course or after completion of a course. | 21. Director's agreement |
| ☐ | ☐ | ☐ | 22. The school does not falsely nor deceptively represent that a course has been recently revised or has a revision system or service, nor misrepresent in any manner its ability to keep a course current. | 22. Director's agreement |
| YES | NO | N/A | **REPRESENTATION OF ENROLLMENT PREREQUISITES OR LIMITATIONS** | |
| ☐ | ☐ | ☐ | 23. The school does not misrepresent the nature or extent of any prerequisites it has established for enrollment in a course or program of instruction; that it will accept for enrollment only a limited number of persons or a limited number of persons from a geographical area; that applications for enrollment will be considered for only a limited time or must be submitted by a certain date; or, that it is conducting a talent hunt or other test. | 23. Recruiting literature and advertising |

## GUIDELINES AND STANDARDS FOR PROPRIETARY SCHOOLS

Advertising and Representation Standards

| EVALUATION CHECKLIST | | | | REQUIRED EXHIBITS |
|---|---|---|---|---|
| | | | **USES OF DEGREES, TITLES AND CERTIFICATES** | |
| ☐ | ☐ | ☐ | 24. The school does not confer an academic, professional or occupational degree or title unless such has been authorized by the appropriate regulatory agency. | 24. Certificate or diploma |
| ☐ | ☐ | ☐ | 25. The school does not issue degrees, diplomas, certificates of completion or any documents of similar import which misrepresent the subject matter, substance or content of the course of study, occupational title or any other material fact concerning the course for which it was awarded or the accomplishments of the student to whom it was awarded. | 25. Certificate or diploma |
| YES | NO | N/A | **SALES REPRESENTATIVES AND PRACTICES** | |
| ☐ | ☐ | ☐ | 26. The school does not refer to its sales representatives as "registrars," "counselors," "advisors," or words of similar import, nor misrepresent the titles, qualifications, training, experience or status of its sales-persons, agents, employees or other representatives. | 26. Representative forms |
| ☐ | ☐ | ☐ | 27. The school does not represent in any way that a course or courses may be taken for a specific price, at a savings or at a reduced price when such is not the fact. Reduced prices can only be used on an ob-jectively determined basis and must be the same for all students; **the determining method must be submitted to and approved by the administrator.** | 27. Advertising literature |
| ☐ | ☐ | ☐ | 28. The school does not deceive students or prospective students concerning the total cost of a course or any equipment, books or supplies associated therewith, nor falsely represent that it offers scholarships which pay for all or part of the course. All related facts and information must be published. | 28. Enrollment agreement and/or contract catalog and/or brochures |
| YES | NO | N/A | **COLLECTION AND CREDIT PRACTICES** | |
| ☐ | ☐ | ☐ | 29. The school does not use any deceptive representations or deceptive means to collect or attempt to collect tuition or other charges from its students. | 29. Director's agreement |
| ☐ | ☐ | ☐ | 30. The school does not seek to obtain a judgment or otherwise attempt to collect on any contract or other instrument between the school and a student, or transfer or assign such contract or other instrument to a third party for the purpose of collection or of enforcing or obtaining a judgment on said contract or instrument, if the school or its employees or representatives misrepresented the nature or the terms of said contract or instrument at the time or prior to the time the contract or instrument was signed. | 30. Director's agreement |

*Federal law prohibits discrimination on the basis of race, color or national origin (Title VI of the Civil Rights Act of 1964); sex (Title IX of the Educational Amendments of 1972 and Title II of the Vocational Education Amendments of 1976); or handicap (Section 504 of the Rehabilitation Act of 1973) in educational programs or activities receiving federal financial assistance.*

*Employees, students and the general public are hereby notified that the Georgia Department of Education does not discriminate in any educational programs or activities or in employment policies.*

*The following individuals have been designated as the employees responsible for coordinating the department's effort to implement this nondiscriminatory policy.*

*Title II — Loydia Webber, Vocational Equity Coordinator*
*Title VI — Peyton Williams Jr., Associate Superintendent of State Schools and Special Services*
*Title IX — Myra Tolbert, Coordinator*
*Section 504 — Jane Lee, Coordinator of Special Education*

*Inquiries concerning the application of Title II, Title VI, Title IX or Section 504 to the policies and practices of the department may be addressed to the persons listed above at the Georgia Department of Education, Twin Towers East, Atlanta 30334; to the Regional Office for Civil Rights, Atlanta 30323; or to the Director, Office for Civil Rights, Education Department, Washington, D.C. 20201.*